

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:

Building Service Contractors Association
International

Debtor

Case No.: 08-B-26192

Chapter 11
Honorable Carol A. Doyle

NOTICE OF MOTION

TO: THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on **June 30, 2009 at 10:00 am**, or as soon thereafter as counsel may be heard, the undersigned will appear before the **Honorable Carol A. Doyle** or any judge sitting in her stead, in **Courtroom 742** of the United States Bankruptcy Court, of the Northern District of Illinois, Eastern Division and present **DEBTOR'S MOTION FOR FINAL DECREE**, a copy of which is attached hereto.

Respectfully submitted,

BUILDING SERVICE CONTRACTORS
ASSOCIATION INTERNATIONAL

By: /s/ Deborah L. Thorne
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Kevin C. Driscoll, Jr. (Atty. No. 6272159)
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CERTIFICATE OF SERVICE

The undersigned, an attorney, deposes and says that on the 10th day of June 2009, she served a copy of **DEBTOR'S MOTION FOR FINAL DECREE** to the parties listed below, *via* first class mail as indicated below.

10201 Fairfax Boulevard LLC
Carr Properties
1776 Eye Street, Suite 500
Washington, D.C.

American Training Videos, Inc.
P.O. Box 7108
225 Peterson Rd., 2d FL
Libertyville, IL 60048-7108

Arnell Corporation
c/o Carr Properties
1776 Eye Street, Suite 500
Washington, DC 20006-3716

Wendy Bennecke
Bally's Las Vegas
3645 Las Vegas Blvd. South
Las Vegas, NV 89109-4307

Bally's / Paris Las Vegas
Stacey Purcell
2114 Fountain Springs Drive
Henderson, NV 89074-1575

BrightSight Group
268 Wall Street
Princeton, NJ 08540-1511

BSCAI
Main Strike Telecommunication, Inc.
741 Los Miradores Drive
El Paso, TX 79912-3451

Carol Ann Dean
3172 Cantrell Lane
Fairfax, VA 22031-1909

Mary R. Johnson
Sr. Lease Administrator
Carr Properties
1776 Eye Street, Suite 500
Washington, DC 20006-3716

Fedex Office
POB 262682
Plano, TX 75026-2682

Firesky Resort and Spa
4925 North Scottsdale Road
Scottsdale, AZ 85251-7692

Gary Kutty & Associates LLC
4600 South Dixie Highway
Dayton, OH 45439-2114

Gaylord National
201 Waterfront Street
National Harbor, MD 20745-1135

Gaylord National LLC
d/b/a Gaylord National Resort & Conv. Ctr
Scott Lynn Esq.
One Gaylord Drive
Nashville, TN 37214-1207

Grubb & Ellis Company
8020 Towers Crescent Drive, S
Vienna, VA 22182-6227

Hyatt Regency Chicago
151 East Wacker Dr.
Chicago, IL 60601-3709

Internal Revenue Service
Centralized Insolvency Operations
P.O. Box 21126
Philadelphia, PA 19114-0326

Janitorial Store
16212 Miles Circle
Brainerd, MN 56401-6091

Kinko's
Customer Administrative Services
P.O. Box 672085
Dallas, TX 75267-2085

Mary Crane
2100 16th Street, Suite 508
Denver, CO 80202-5186

Mechanic group
One Blur Hill Plaza, Suite 530
Pearl River, NY 10965-3100

Mediaedge Communications LLC
5255 Yonge Street, Ste 1000
Toronto, ON M2N 6P4
Canada

Neal Gerber & Eisenberg LLP
2 North LaSalle Street, Suite 2200
Chicago, IL 60602-3963

RTI, Inc.
603 Lake Bridge Drive
Lake Dallas, TX 75065

Showcare Event Management Inc.
201-2770 14th Avenue
Markham, ON L3R 0J1
Canada

Skilstaf
P.O. Box 729
Alexander City, AL 35011-0729

Speak Inc.
10680 Treena Street, Suite 230
San Diego, CA 92131-2444

Sprint
P.O. Box 4181
Carol Stream, IL 60197-4181

Sunbelt Rentals
1337-B Hundred Oaks Dr.
Charlotte, NC 28217-3917

TALX Corporation
3535 Harney Street
Omaha, Nebraska 68131-3915

TNCI
P.O. Box 981038
Boston, MA 02298-1038

Team Financial Management Systems
407 S. 27th Ave.
Omaha, Nebraska 68131-3609

Valenti Trobec Chandler Inc.
1175 West Long Lake Road
Suite 200
Troy, MI 48098-4443

Vision Point Systems, Inc.
Attn: Mr. Brad Shaw
10201 Lee Highway
Fairfax, VA 22030-2222

Wells Fargo Financial Leasing, Inc.
800 Walnut Street
MAC F4031-050
Des Moines, IA 50309-3605

WestFax Smart Communication
Department #1783
Denver, CO 80291-0001

Westin Casaurina Spa & Resort
P.O. Box 30620
Grand Cayman, Cayman Islands

Westin Resort and Spa, Los Cabos
Carretera Transpeninsular Km 22.5
San Jose Del Cabo, 23400
Mexico

Yellow Transportation, Inc.
10990 Roe Avenue
Overland Park, KS 66211-1213

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219 S. Dearborn St., Room 873
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Denise A. Delaurent
US Trustee of the ND of Illinois
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Chicago, IL 60604

Thomas R. Fawkes
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US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Internal Revenue Service
200 West Adams, Suite 2300
Chicago, IL 60606

Internal Revenue Service
230 So. Dearborn
Chicago, IL 60606

Illinois Department of Revenue
Attn: James D. Newbold, Esq.
100 W. Randolph St., 13th FL
Chicago, IL 60601

Smith Bucklin
401 North Michigan Avenue
Chicago, IL 60611

/s/ Deborah L. Thorne
Deborah L. Thorne

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:

Building Service Contractors Association
International,
Reorganized Debtor

Case No.: 08-B-26192

Chapter 11
Honorable Carol A. Doyle

DEBTOR'S MOTION FOR FINAL DECREE

Reorganized Debtor, Building service Contractors Association International, through its counsel, respectfully moves this Bankruptcy Court pursuant to 11 U.S.C § 350(a), Bankruptcy Rule 3022 and Local Bankruptcy Rule 3022-1 for a Final Decree closing this Chapter 11 case.

In support of its Motion, Debtor states:

Introduction

1. On September 30, 2009 (the "Petition Date"), the above-captioned reorganization case was commenced pursuant to the Debtor's filing of a voluntary petition under Chapter 11 of the United States Code (11 U.S.C. 101 *et. seq.*, hereinafter the "Bankruptcy Code").

2. This Court has jurisdiction to hear and decide this Motion for Final Decree pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding under 28 U.S.C. § 157(b)(2)(A).

3. Prior to confirmation of its Plan of Reorganization, Debtor operated its business and managed its properties as debtor-in-possession pursuant to Sections 1107(a) and 1109 of the Bankruptcy Code.

4. No creditor's committee was appointed. This case was administered as a Small Business case.

5. On March 9, 2009, this Court entered an order confirming Debtor's Plan of Reorganization (the "Confirmed Plan").

Relevant Statute and Bankruptcy Rules

6. Section 350(a) of the Bankruptcy Code provides that "[a]fter an estate is fully administered and the court has discharged the trustee, the court shall close the case." 11 U.S.C. § 350(a).

7. Bankruptcy Rule 3022 provides that "[a]fter an estate is fully administered in a chapter 11 reorganization case, the court, on its own motion or on the motion of a party in interest, shall enter a final decree closing the case." Fed. R. Bankr. Proc. 3022.

8. Local Bankruptcy Rule 3022-1 provides that unless the Court orders otherwise, (1) notice of any motion to close a case must be given to the United States Trustee, any Chapter 11 Trustee, and all creditors; and (2) state within the notice or motion the actual status of payments due to each class under the confirmed plan. Debtor has given notice of this Motion to the United States Trustee, all counsel having filed appearances in this case and to all creditors on the claims register.

Status of Plan Payments

9. Pursuant to the Confirmed Plan, the debts of Debtor were categorized into eight classes as follows: **Class 1:** Priority Claim entitled to priority under §507, except claims entitled to priority under §507(a)(2) and (a)(8); **Class 2:** The Claim of Vision Point; **Class 3:** General Unsecured Claims.

10. The actual status of payments due to each class under Debtor's confirmed plan is as follows.

- a. **Class 1:** All Class 1 Claims have been paid or will be. The professional fees of Barnes & Thornburg LLP, counsel for the Debtor will be paid after entry of an Order by this Court awarding fees and reimbursement of expenses. Barnes & Thornburg LLP has applied to this Court for an order authorizing payment of its fees which is being heard simultaneously with this Motion. Payment of allowed fees will be made subject to available cash by the Post-Confirmation Debtor and as negotiated by Barnes & Thornburg LLP and the Post-Confirmation Debtor.
- b. **Class 2:** Vision Point has been paid and is the only creditor in Class 2.
- c. **Class 3:** All Class 3 claims have been paid under the terms of the Confirmed Plan.

This Case is Ripe for Closure

- 11. The Debtor believes this case should be closed.
- 12. As noted by the Advisory Committee Notes to Bankruptcy Rule 3022, “[e]ntry of a final decree closing a chapter 11 case should not be delayed solely because the payments required by the plan have not been completed.”

- 13. As noted by a Bankruptcy Court in this district

The only matters remaining are certain disbursements to be made under the plan and an adversary proceeding. The Court does not believe these matters warrant keeping the case open....As recognized by the Seventh Circuit, “[o]nce the bankruptcy court confirms a plan of reorganization, the debtor may go about its business without further supervision or approval. [citation].

In re JMP-Newcor International, Inc., 225 B.R. 462, 465 (Bankr. N.D. Ill. 1998) (Judge Barliant).

- 14. Debtor intends on making payments to Barnes & Thornburg according to a payment schedule to be mutually agreed upon.

WHEREFORE, Debtor respectfully requests that this Court enter an order (1) closing this Chapter 11 case; and (2) for such other and further relief as is just.

Respectfully submitted,

BUILDING SERVICE CONTRACTORS
ASSOCIATION INTERNATIONAL

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